

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Sheila Ryan
DOCKET NO.: 05-23218.001-R-1
PARCEL NO.: 04-35-307-063-1006

The parties of record before the Property Tax Appeal Board (PTAB) are Sheila Ryan, the appellant, by attorney Michael J. Phelan of Kearney & Phelan, LTD. of Chicago the Cook County Board of Review (board).

The subject property consists of a one-year-old, masonry condominium dwelling unit assigned a 14% ownership interest. The subject property is located in Northfield Township, Cook County.

The appellant's attorney appeared before the PTAB and argued that the fair market value of the subject is not accurately reflected in its assessed value as the basis for this appeal.

The appellant argued that the subject's recent sale best reflected the subject's market value. In support of this argument, the appellant indicated through a settlement statement that the subject was purchased on March 31, 2005 for \$613,500. Based upon this evidence, the appellant requested a reduction in the subject's total assessment to reflect the reduced market value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$82,268 was disclosed. The board also presented the methodology used to estimate the subject's fair market value. The board of review's evidence revealed that from 2001 through 2004 approximately nine units within the subject's complex sold. Total consideration for these sales was \$5,410,500 of that amount \$63,000 was deducted for personal property. Thus, the total adjusted consideration was \$5,876,373 for the nine units in the complex. The board estimated the total market value of the condominium complex using the adjusted sales price and the total of the percentage of interest of the units which sold, or 91.00%, to conclude a total

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 5,657
IMPR. \$54,282
TOTAL: \$59,939

Subject only to the State multiplier as applicable.

PTAB/TMcG.

value for the subject complex of \$6,457,552. The subject's percentage of interest of 14.00% was then applied to the total value to determine fair market value of \$514,181 for the subject. Based on this evidence, the board of review requested confirmation of the subject property's assessment.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. *Property Tax Appeal Board Rule 1910.63(e)*. Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

The PTAB finds that the appellant has met this burden and has submitted the best evidence of market value. The appellant's settlement statement indicates that the subject property was purchased for \$613,500.

The PTAB finds that the appellant's evidence reflects one 2005 sale of which there was no deduction for personal property. The 2005 settlement statement disclosed no deduction for personal property. There was no evidence for the deductions for personal property within the board's evidence. Therefore, the PTAB gives less weight to the board's evidence.

Since the market value of the subject has been established, the Department of Revenue's 2005 three-year median level of assessments for Cook County Class 2 property of 09.77% will apply.

In applying, the Department of Revenue's median level of assessment for class 2 properties in Cook County of 09.77% for tax year 2005, the subject's total assessment should not be in excess of \$59,939, while the subject's current total assessment is at \$82,268.

As a result of this analysis, the PTAB finds that the appellant has adequately demonstrated that the subject property was overvalued and that a reduction in the subject's assessment is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: January 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.